

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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| KENNETH RAY, | : |
| Plaintiff | : |
| v. | : Case No. 3:09-cv-264-KRG-KAP |
| TIM WOLFE, | : |
| Defendant | : |

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on October 11, 2011, docket no. 65, recommending that summary judgment be granted to the remaining defendant, Tim Wolfe.

The parties were notified pursuant to 28 U.S.C. § 636(b)(1), that they had fourteen days to file written objections to the Report and Recommendation. No objections were filed, and the time to do so has expired.

Upon review of the record of this matter and the Report and Recommendation, and noting the absence of timely objections thereto, the following order is entered:

AND NOW, this 31st day of October, 2011, it is

ORDERED that summary judgment is granted to the remaining defendant Wolfe. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Kenneth Ray CJ-6269
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